

22STCV39545

SUM-100

SUMMONS
(CITACION JUDICIAL)FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)**NOTICE TO DEFENDANT:**
(AVISO AL DEMANDADO):THE RITZ-CARLTON HOTEL COMPANY, L.L.C., a Delaware limited liability company; [SEE ATTACHMENT]**YOU ARE BEING SUED BY PLAINTIFF:**
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

WILLIAM GREEN, an individual;

CT Corp #
231805**NOTICE!** You have been sued. The court may decide against you without you being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): Stanley Mosk Courthouse

111 North Hill Street, Los Angeles, CA 90012

CASE NUMBER:
(Número del Caso):

22STCV39545

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Jacoby & Meyers Attorneys LLP, 10900 Wilshire Blvd, 15th Floor, Los Angeles, CA 90024; 310-312-3300

DATE:

(Fecha) 12/20/2022

Clerk, by Sherri R. Carter Executive Officer / Clerk of Court

(Secretario) D. Williams

Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]

**NOTICE TO THE PERSON SERVED:** You are served1. ☐ as an individual defendant.2. ☐ as the person sued under the fictitious name of (specify):3. ☒ on behalf of (specify): The Ritz-Carlton Hotel Company, L.L.C., a Delaware limited liability companyunder: ☐ CCP 416.10 (corporation)☐ CCP 416.20 (defunct corporation)☒ CCP 416.40 (association or partnership)☐ other (specify):☐ CCP 416.60 (minor)☐ CCP 416.70 (conservatee)☐ CCP 416.90 (authorized person)4. ☐ by personal delivery on (date):

SUM-200(A)

SHORT TITLE: GREEN v. THE RITZ-CARLTON HOTEL COMPANY, L.L.C, et al.	CASE NUMBER: 22STCV39545
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INSTRUCTIONS FOR USE

- This form may be used as an attachment to any summons if space does not permit the listing of all parties on the summons.
- If this attachment is used, insert the following statement in the plaintiff or defendant box on the summons: "Additional Parties Attachment form is attached."

List additional parties (Check only one box. Use a separate page for each type of party.):

☐ Plaintiff ☒ Defendant ☐ Cross-Complainant ☐ Cross-Defendant

ROY RILEY, an individual; and DOES 1 THROUGH 100, inclusive,

Page 1 of 1

Page 1 of 1

Assigned for all purposes to: Spring Street Courthouse, Judicial Officer: Jill Feeney

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Attorneys for Plaintiff WILLIAM GREEN

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

WILLIAM GREEN, an individual;
 Plaintiff,

vs.

THE RITZ-CARLTON HOTEL COMPANY,
 L.L.C, a Delaware limited liability
 company; ROY RILEY, an individual; and
 DOES 1 THROUGH 100, inclusive,

Defendants.

Case No.: 22STCV39545

COMPLAINT FOR DAMAGES FOR

- 1. NEGLIGENCE;**
- 2. PREMISES LIABILITY**

DEMAND FOR JURY TRIAL

COMES NOW Plaintiff WILLIAM GREEN who complains and alleges as follows:

GENERAL ALLEGATIONS RELEVANT TO ALL CLAIMS

1. Plaintiff is and at all times mentioned herein was an individual who resides in the City of Hawthorne, County of Los Angeles, State of California.
2. Plaintiff is informed and believes, and upon such information and belief alleges that at all times mentioned in this Complaint, Defendant THE RITZ-CARLTON

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1 HOTEL COMPANY, L.L.C., a Delaware limited liability company; and DOES 1
 2 THROUGH 100, inclusive, and each of them, were the owners, operators, lessors,
 3 lessees, managers, caretakers, repairers, contractors, subcontractors, controllers, and
 4 maintainers of a hotel, located at or near 900 W. Olympic Boulevard, Los Angeles, CA
 5 90015 (the "PREMISES").

6 3. Defendant THE RITZ-CARLTON HOTEL COMPANY, L.L.C. is, and at all
 7 times mentioned herein was, the owner of The Premises. Defendant THE RITZ-
 8 CARLTON HOTEL COMPANY, L.L.C., a Delaware limited liability company; and DOES 1
 9 THROUGH 100, inclusive, and each of them, had a duty to maintain their premises in a
 10 safe condition and to disclose the hidden and dangerous condition to Plaintiff.

11 4. Plaintiff is informed and believes, and upon such information and belief
 12 alleges that at all times mentioned in this Complaint, Defendant ROY RILEY, is and/or
 13 was an employee/manager/director at Defendant THE RITZ-CARLTON HOTEL
 14 COMPANY, L.L.C. Defendant ROY RILEY is, and at all times pertinent to this action, was
 15 a resident of the State of California, City of Los Angeles.

16 5. The true names and capacities, whether individual, plural, corporate,
 17 partnership, associate or otherwise of DOES 1 through 100, inclusive, are presently
 18 unknown to Plaintiff, who therefore sues said Defendants by such fictitious names. The
 19 full extent of the facts linking such factiously sued Defendants with the causes of action
 20 alleged herein is unknown to Plaintiff. Plaintiff is informed and believes, and thereupon
 21 alleges, that each of the Defendants designated herein as a DOE was and is negligently,
 22 carelessly, recklessly, unlawfully, tortuously, wantonly, wrongfully, illegally, or in some
 23 other actionable matter, responsible for the events and happenings hereinafter referred
 24 to, and thereby negligently, carelessly, recklessly, unlawfully, tortuously, wantonly,
 25 wrongfully, and illegally proximately caused the hereinafter described injuries and
 26 damages to Plaintiff. Plaintiff will later file an amendment to this Complaint or seek leave
 27 of Court to amend this Complaint to show Defendants' true names and capacities after
 28 the same has been ascertained.

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6. Plaintiff is informed and believes, and thereupon alleges, that at all times mentioned herein, Defendants, and each of them, including DOES 1 through 100, inclusive, and each of them, were agents, servants, employees and joint venturers of each other, and were, as such, acting within the course, scope and authority of said agency, employment and joint venture, and that each and every Defendant, as aforesaid, when acting as a principal, was negligent in the selection and hiring of each and every Defendant as an agent, employee, contractor, subcontractor and joint venture, and that each Defendant, by and through its officers, officials, directors, managers, supervisors and/or managing agents, authorized, ratified and otherwise approved the acts of the remaining Defendants, and that said officers, directors, or managing agents participated in said acts with the Defendants, including DOES 1 through 100, inclusive, and each of them.

7. Plaintiff is informed and believes and thereupon alleges that Defendants THE RITZ-CARLTON HOTEL COMPANY, L.L.C; ROY RILEY, and DOES 1 through 100, and each of them, owned, leased, operated, maintained, designed, installed, built, managed, supervised, inspected, and/or otherwise controlled the PREMISES.

8. Defendants THE RITZ-CARLTON HOTEL COMPANY, L.L.C; ROY RILEY, and DOES 1 through 100, and each of them, failed to own, lease, operate, maintain, design, install, build, manage, supervise, inspect, and/or otherwise control the PREMISES in a safe condition.

9. On or about December 23, 2020, Defendants, and each of them, so negligently owned, leased, operated, maintained, designed, installed, built, managed, supervised, inspected, and/or controlled the PREMISES that unsafe and dangerous conditions were created or caused to exist which led to an incident wherein Plaintiff was injured while at the PREMISES and suffered severe bodily harm.

10. To wit, on December 23, 2020, Plaintiff was lawfully at and upon the PREMISES he was injured as a result of the dangerous conditions of the PREMISES, including but not limited to hazards, inadequate signing, negligent design, negligent

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1 construction, negligent workmanship, and/or other hazards. Specifically, on or about
 2 December 23, 2020, shards of a chandelier above the dining table in Room Number 2542
 3 of the premises fell onto Plaintiff causing Plaintiff to sustain severe injuries.

4 11. Plaintiff was injured as a direct and proximate result of encountering the
 5 unsafe and dangerous conditions that existed at Defendants' PREMISES.

6 12. As a proximate result of the conduct of the Defendants, and each of them,
 7 Plaintiff sustained losses in an amount to be determined at trial, including but not limited
 8 to, physical injuries to his body requiring medical treatment and care, physical pain and
 9 mental suffering, loss of earnings and the capacity to maintain gainful employment,
 10 among other general and special damages in an amount to be determined according to
 11 proof.

12 JURISDICTION AND VENUE

13 13. This Court has jurisdiction over Defendants because Defendants are
 14 residents of California, and or do business in California.

15 14. The injuries upon which this action is based occurred in the City of Los
 16 Angeles, County of Los Angeles, State of California.

17 FIRST CAUSE OF ACTION

18 NEGLIGENCE

19 (As Against All Defendants)

20 15. Plaintiff re-alleges and incorporates by reference each and every allegation
 21 above as though fully set forth in detail herein.

22 16. Defendants THE RITZ-CARLTON HOTEL COMPANY, L.L.C; ROY RILEY,
 23 and DOES 1 through 100 and each of them, owed a duty to Plaintiff to exercise ordinary
 24 care and skill to avoid causing foreseeable harm to Plaintiff and other similarly situated
 25 persons.

26 17. Defendants, and each of them, breached that duty of care by negligently
 27 and carelessly managing, operating, inspecting, controlling, supervising, and/or
 28 maintaining the PREMISES.

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23. In addition, Defendants THE RITZ-CARLTON HOTEL COMPANY, L.L.C, a Delaware limited liability company; ROY RILEY, an Individual; and DOES 1 THROUGH 100, inclusive, and each of them, were negligent, careless and reckless in that they failed to properly warn of the dangerous condition, and in that they failed to properly protect the area of said dangerous condition.

24. Said Defendants THE RITZ-CARLTON HOTEL COMPANY, L.L.C., a Delaware limited liability company; ROY RILEY, an Individual; and DOES 1 THROUGH 100, inclusive, and each of them, fully and well knew, or should have known in the exercise of reasonable care, that the ceiling and/or structures and/or components and/or other parts of said premises were in a dangerous and defective and unsafe condition, and a menace to Plaintiff and others lawfully on said premises.

25. By reason of the aforesaid negligence, carelessness, and recklessness of defendants, and each of them, as aforesaid, and as a direct and proximate result thereof, a portion of said ceiling and other components of said premises were caused to, and allowed to, fall onto Plaintiff, causing Plaintiff to sustain the injuries and damages as hereinafter alleged.

26. Specifically, on or about December 23, 2020, shards of a chandelier above the dining table in Room Number 2542 of the premises fell onto Plaintiff causing Plaintiff to sustain severe injuries.

27. As a direct and proximate result of the Defendants' negligence and their failure to repair the defective and dangerous conditions or to have them repaired within a reasonable time or at all, as alleged above, Plaintiff WILLIAM GREEN was hurt in his health, strength and activity, suffered serious injuries to his body, which have caused and continue to cause, Plaintiff great mental and physical pain and suffering. Plaintiff is informed and believes and, on that basis, alleges that these injuries will result in significant future and permanent disability, all to his general damages in a sum currently unascertainable.

28. By reason of the foregoing, Plaintiff is entitled to recover his general, special, actual, and compensatory damages, including, but not limited to, his necessary medical and related expenses past, present, and future loss of earnings, loss of future earning capacity, as well as mental, emotional and physical pain and suffering.

29. Plaintiff's general and special damages are in an amount in excess of the jurisdictional limits of all lower Courts, which will be shown according to proof at time of trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against the Defendants, and each of them, as follows:

1. For past and future general damages, according to proof;
2. For past and future medical expenses, according to proof;
3. For past and future lost earnings and lost earning capacity, according to proof;
4. For pre- and post-judgment interest;
5. For costs of suit incurred herein;
6. For such other and further relief as the Court deems just and proper.

Dated: December 20, 2022

JACOBY & MEYERS ATTORNEYS LLP


By: 
BRETIL BEITMIRZA
PARHAM NIKFARJAM
Attorneys for Plaintiff

DEMAND FOR TRIAL BY JURY

Plaintiff hereby demands a trial by jury on all issues triable by jury.

Dated: December 20, 2022

JACOBY & MEYERS ATTORNEYS LLP

By: 
BRETIL BEITMIRZA
PARHAM NIKFARJAM
Attorneys for Plaintiff

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